

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GUILD MORTGAGE COMPANY LLC,

Plaintiff,

v.

CROSSCOUNTRY MORTGAGE LLC,

Defendant.

Case No. 2:21-CV-01376-JCC-MLP

**DECLARATION OF DANIEL JEMAL**

I, Daniel Jemal, declare and state as follows:

1. I am the CFO of Radcliff CCM I LLC (“Radcliff CCM”), which is the entity that holds the investment in CrossCountry Mortgage LLC (“CCM”). I am also the CFO of Radcliff CCM I (Fam) LLC (“Radcliff Fam” and, together with Radcliff CCM, “Radcliff”), which is a member of Radcliff CCM. Through my role as Radcliff’s CFO, I am fully familiar with the facts contained herein, and if called upon to do so, I could and would testify competently thereto.

2. As I have stated in previous sworn statements, Radcliff considers its investor information both highly confidential and competitively sensitive. Radcliff does not voluntarily disclose detailed or identifying information about its investors. It provides such investor information only to the extent that it is forced to do so and even then it does so only in the most limited fashion possible.

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3. I understand that the law generally provides that investors in private companies need not be disclosed publicly and investors expect that their identity and where they choose to invest their money will remain private. If Radcliff is unable to continue to represent that it will keep its investors' identities private, it could lose investors. It is not difficult to imagine that some potential investors would be unwilling to invest money in certain companies or projects if their investments are made public. There can be tremendous pressure from certain sectors of the public not to invest in certain industries or projects viewed as conflicting with some perceived concerns. For these reasons, Radcliff only agreed to produce the information that CCM seeks to file under seal if CCM promised to do everything it could to prevent the material from being disclosed to the public. Radcliff also agreed to provide certain additional information related to the diversity dispute to Guild on the express condition that Guild would withdraw its then-pending objection to the motion to seal, a promise which Guild honored. Radcliff would not have voluntarily provided the materials or information to CCM or Guild without their respective promises.

I declare under penalty of perjury under the laws of the United States that to the best of my knowledge the foregoing is true and correct.

Executed this 11 day of November, 2022, in Florida.

By: \_\_\_\_\_

Daniel Jemal